

United States District Court

For the Northern District of California

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CONNIE ARNOLD,) Case No.: 10-CV-01987-LHK
Plaintiff,)
v.)
PNS STORES INC.; 200 SIERRA WAY LLC;) ORDER TO SHOW CAUSE WHY CASE
and DOES 1-10, inclusive,) SHOULD NOT BE DISMISSED FOR
Defendants.) FAILURE TO PROSECUTE

The Complaint in this case was filed on May 7, 2010. Because the Complaint asserts violations of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101 et seq., General Order 56 applies. Under General Order 56, the Court set a schedule with deadlines for certain events. *See* Dkt. No. 4. According to this schedule, the parties were to complete a joint site visit no later than August 16, 2010, and had up until 45 days from that date to file a “Notice of Need for Mediation.” Therefore, the “Notice of Need for Mediation” was due on September 30, 2010. No such document was filed, and no further action has occurred in this matter since Defendants answered in July 2010, and Plaintiffs added additional counsel in October 2010.

It is now more than eight months since the case was filed, and over three months since the deadline for filing a “Notice of Need for Mediation” passed. The Court therefore orders the Plaintiff to show cause why the case should not be dismissed for lack of prosecution. Plaintiff shall

1 file this response on or before February 14, 2011. A show cause hearing shall be held at 1:30 p.m.
2 on March 24, 2010. Absent a showing of good cause, the case will be dismissed.

3 **IT IS SO ORDERED.**

4 Dated: January 14, 2011


5 LUCY H. KOH
6 United States District Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28